

S/N 09/884,862

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert G. Hauser et al.

Examiner: Scott M. Getzow

Serial No.: 09/884,862

Group Art Unit: 3762

Filed: June 19, 2001

Docket: 279.024US6

IMPLANTABLE INTRAVENOUS CARDIAC STIMULATION SYSTEM  
WITH PULSE GENERATOR HOUSING SERVING AS OPTIONAL  
ADDITIONAL ELECTRODE

#13  
B. Webb  
2/6/04

O I P E J C R N L  
JAN 26 2004  
PATENT & TRADEMARK OFFICE  
Commissioner for Patents  
Washington, D.C. 20231

TERMINAL DISCLAIMER

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JAN 02 2004

TECHNOLOGY CENTER R3700

I, Timothy E. Bianchi, am the attorney of record for the above identified patent application as evidenced by a copy of the Revocation and Power of Attorney filed in a prior application on even date herewith. I am making this petition on behalf of Cardiac Pacemakers, Inc., the assignee of the present invention. As the attorney of record, I am empowered to act on behalf of the assignee and, in accordance with 37 C.F.R. § 1.321(b)(iv), to sign this terminal disclaimer.

Certificate Under 37 C.F.R. §3.73(b)

Your petitioner, Cardiac Pacemakers, Inc., certifies that they are the owner of the entire right, title and interest in and to the above-identified patent application (Serial No. 09/884,862) and to U.S. Patent No. 6,280,462. Your petitioner owns the entire right, title, and interest of these applications by nature of the assignment executed and filed for the parent application (Serial No. 07/917,899), issued as U.S. Patent No. 5,385,574. The assignment for U.S. Patent No. 5,385,574 was filed with the United States Patent and Trademark Office on November 27, 2002. The above-identified patent application (Serial No. 09/884,862) is a continuation of U.S. Patent No. 6,280,462, which is a continuation of U.S. Patent No. 6,157,860, which is a continuation of U.S. Patent No. 5,916,238, which is a continuation of U.S. Patent No. 5,713,926, which is a continuation of U.S. Patent No. 5,385,574.

The undersigned representative of the assignee has reviewed the evidentiary documents of title and certifies that to the best of assignee's knowledge and belief, title is in the assignee, Cardiac Pacemakers, Inc., seeking to take the action set forth in this disclaimer.

01/29/2004 0026031 00000050 190743 09884862

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**TERMINAL DISCLAIMER**

Serial Number: 09/884,862

Filing Date: June 19, 2001

Title: IMPLANTABLE INTRAVENOUS CARDIAC STIMULATION SYSTEM WITH PULSE GENERATOR HOUSING SERVING AS  
OPTIONAL ADDITIONAL ELECTRODE

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Page 2

Dkt: 279.024US6

Terminal Disclaimer

Your petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimers, of U.S. Patent No. 6,280,462. Petitioner hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to U.S. Patent No. 6,280,462 and the legal title of the above-identified application and any patent granted thereon remain common, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors and assigns.

Limitations on the Disclaimer

Your petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent No. 6,280,462 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration date of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title as stated hereinabove.

**TERMINAL DISCLAIMER**

Serial Number: 09/884,862

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Page 3

Dkt: 279.024US6

Fee Status

Please apply the previously paid fee of \$110.00 to cover the fee for the Terminal Disclaimer. The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fees deemed necessary, to Deposit Account No. 19-0743.

Respectfully submitted,

ROBERT G. HAUSER ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6912

Date 1-22-04

By T. E. R.

Timothy E. Bianchi  
Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 23 day of January, 2004.

Name Patricia Suchy

Signature R. Hauser

S/N 09/884862

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert G. Hauser et al. Examiner: Scott Getzow  
Serial No.: 09/884,862 Group Art Unit: 3762  
Filed: June 19, 2001 Docket: 279.024US6  
Title: IMPLANTABLE INTRAVENOUS CARDIAC STIMULATION SYSTEM WITH  
PULSE GENERATOR HOUSING SERVING AS OPTIONAL ADDITIONAL  
ELECTRODE

COMMUNICATION REGARDING TERMINAL DISCLAIMER

O I P E J C T O N E  
JAN 26 2004  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER 3700

Applicant has reviewed the Communication dated December 24, 2003. Applicant submits herewith a copy of the Revocation and Power of Attorney filed in a prior application to evidence that Timothy E. Bianchi is of record. Applicant also submits herewith a Terminal Disclaimer executed by the attorney of record, Timothy E. Bianchi.

In view of the attached copy of the Revocation and Power of Attorney from the prior application, it is believed that the Terminal Disclaimer is proper. Therefore, Applicant respectfully requests withdrawal of the objection to the Terminal Disclaimer and notice to that effect is respectfully requested.

The Examiner is invited to telephone Applicant's attorney at (612) 373-6912 to facilitate prosecution of this application. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

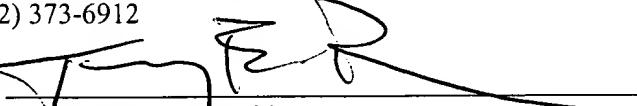
ROBERT G. HAUSER ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 373-6912

Date 1-22-04

By

  
Timothy E. Bianchi  
Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 26 day of January, 2004.

Name Paula S. Sutty

Signature Paula S. Sutty

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3762/8

Applicant: Robert G. Hauser et al.

Title: IMPLANTABLE INTRAVENOUS CARDIAC STIMULATION SYSTEM WITH PULSE GENERATOR HOUSING SERVING AS OPTIONAL ADDITIONAL ELECTRODE

Docket No.: 279.024US6

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Examiner: Scott M. Getzow

Serial No.: 09/884,862

Due Date: January 24, 2004

Group Art Unit: 3762



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
- A Communication Regarding Terminal Disclaimer (1 pg.).
- A Terminal Disclaimer (3 pgs.) *please apply the previously paid fee of \$110.00 to cover the fee for the Terminal Disclaimer.*
- A copy of the Revocation and Power of Attorney filed in a prior application (2 pgs.).

If not provided for in a separate paper filed herewith, consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
Customer Number 21186

By: T. E. Bianchi  
Atty: Timothy E. Bianchi  
Reg. No. 39,610

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 23 day of January, 2004.

Name

Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)

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